

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAY 08 2003

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte HIROFUMI MIRASAKI
and
TAKEHIRO KAMINAGAYOSHI

Application No. 08/828,417

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 21, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On September 30, 2002, appellants filed an Appeal Brief (Paper No. 22). On December 31, 2002, the examiner mailed an Examiner's Answer (Paper No. 23) in response to appellants' Appeal Brief. According to the examiner on page 2, section (8) of the Answer, "[t]he copy of the appealed claims contained in the Appendix to the brief is correct." However, a review of the Appendix to the Brief reveals that claims 25 and 27 are not the

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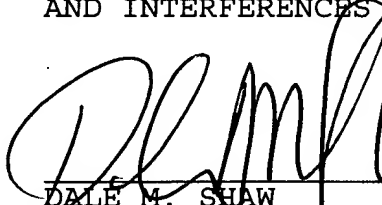
correct copies according to the last entered amendment filed on April 10, 2000 (Paper No. 11).

Accordingly, it is

ORDERED that the application is returned to the examiner for notifying appellants to submit a corrected Appendix to the Brief, or for the examiner to submit a correct copy of claims 25 and 27 on appeal, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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